

REMARKS

Claims 1, 5-6, 8-10, and 16-22 are pending in the present application. Claims 1, 5-6, 8-10 and 16-17 are amended. Claims 2-4, 7, 11 and 13-15 are cancelled. Claims 12 and 18-21 remain in the application unchanged. Claim 22 is new. Support for the amendments may be found in the Applicant's specification at least at paragraphs [0023]-[0025] and [0040]-[0041].

All pending claims stand rejected under one or more of 35 U.S.C. §§ 102(b) and 103(a).

Reconsideration of the present application is respectfully requested in view of the above amendments and following remarks.

Rejections Under 35 U.S.C. §§ 102(e), 103

Claims 1, 3-4, 6-8, 16-18 and 20-21 stand rejected under 35 U.S.C. 102(b) as being anticipated by the web site Coloring.com; and claims 2, 5, 9, 12, 15 and 19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Coloring.com in further view of "Sams Teach Yourself Microsoft Publisher 2000 in 10 Minutes".

Amended claim 1 recites:

A computer-implemented method for generating an image, the method comprising .

associating a first color and a second color with a markup language element capable of accepting pattern fill content;

applying a grayscale image as pattern fill content of the element, the grayscale image containing multiple color tones based on the combination of a first component color and a second component color, the first component color set to the first color and the second component color set to the second color;

displaying at least the element to a user, the multiple color tones of the grayscale image pattern fill content rendered based on a combination of the first component color and the second component color;

allowing the user to select respective first and second colors from a plurality of colors to be applied to the first component color and the second component color;

updating the first color associated with the element with the selected first color and the second color associated with the element with the selected second color; and

displaying at least the element to a user, **the multiple color tones of the grayscale image pattern fill content rendered based on a combination of the first component color and the second component color, the first component color set to the updated first color and the second component color set to the updated second color.**

In order for a reference to anticipate the claim, the reference must teach the entirety of the recited claim including all of the emphasized claim language. The undersigned respectfully submits that the cited references do not teach or suggest the emphasized claim language and cannot possibly teach or suggest the recited combination.

Coloring.com discloses an online coloring book application wherein a user may select a black-and-white template from among a number of pre-designed black-and-white templates. Upon selection of a particular template, the user may then select either a color or an image from among a number of pre-determined colors and images displayed on a color palette toolbar. Upon selection of a color or image from the color/image palette, the user may then click within an area of the template to select an area from among a number of pre-designed areas in the template, and the system will automatically fill the entire selected area with the selected color/image and display it to the user.

Applicant's Claim 1 recites **"allowing the user to select respective first and second colors from a plurality of colors to be applied to the first component color and the second component color; updating the first color associated with the element with the selected first color and the second color associated with the element with the selected second color; and displaying at least the element to a user, the multiple color tones of the grayscale image pattern fill content rendered based on a combination of the first component color and the second component color, the first component color set to the updated first color and the second component color set to the updated second color"**. Importantly, Coloring.com does not teach or suggest an image container having **grayscale image pattern fill content**. In Coloring.com, each pre-designed area in a selected template is filled with either no color, a single solid color, or one of a number of pre-determined images (such as grass, crinkle, thatch, space, granite). None of the fill options are grayscale image content **"rendered based on a combination of the first component color and the second component color"**.

The Examiner seeks to equate the black outlines of the shape elements as part of the pattern fill. However, the Coloring.com templates are originally rendered for display to the user using shape elements having black outlines and empty or white fill. No matter what fill the user chooses, the fill is only applied to the *content* (called “fill”) of the selected shape element. The outline remains black and is unchangeable. The reason for this is that the outline of a shape element is defined in the markup language source code as a separate property of the shape element which is separate and apart from the fill property (i.e., the content or “fill pattern”) of the shape element. Thus, the outline of the shape element cannot be considered part of the pattern fill of the shape element, and therefore cannot even be considered a color component of the image content. Furthermore, the user cannot even change the color of the outline. Thus, even if the black outlines were considered as part of the image content of a shape element, Coloring.com does not allow the ability of the user to change the color of the outline, and therefore Coloring.com does not teach or suggest **“allowing the user to select respective first and second colors from a plurality of colors to be applied to the first component color and the second component color; updating the first color associated with the element with the selected first color and the second color associated with the element with the selected second color; and displaying at least the element to a user, the multiple color tones of the grayscale image pattern fill content rendered based on a combination of the first component color and the second component color, the first component color set to the updated first color and the second component color set to the updated second color”**.

Even when one of the images (such as grass, crinkle, thatch, space, granite) is selected as the fill for a selected image shape, Coloring.com provides no ability for the user to change both the first component color and the second component color of those images as required by Applicant's claims.

A prima facie case for anticipation under 35 U.S.C. §102 requires that a reference teach each and every element of the claim. As described above, Coloring.com clearly does not teach all of the limitations of Applicant's independent Claim 1. In particular, Coloring.com does not teach or suggest **“allowing the user to select respective first and second colors from a plurality of colors to be applied to the first component color and**

the second component color; updating the first color associated with the element with the selected first color and the second color associated with the element with the selected second color; and displaying at least the element to a user, the multiple color tones of the grayscale image pattern fill content rendered based on a combination of the first component color and the second component color, the first component color set to the updated first color and the second component color set to the updated second color".

Accordingly, the Applicant respectfully requests withdrawal of the 35 U.S.C. §102(b) rejection of independent Claims 1, 6, 10 and 16, and each of the corresponding claims depending therefrom.

Sams Publishing does not make up for the deficiencies of *Coloring.com* in meeting Applicant's recited independent Claims 1, 6, 10, and 16. *Sams Publishing* is a quick start user manual for teaching readers to utilize Microsoft® Publisher 2000, a computerized publication application. *Sams Publishing* shows screen shots of Microsoft® Publisher wherein a user can preview a number of publication categories (*Sams Publishing*, page 2), select a category and then preview a number of publications based on the selected category (*Sams Publishing*, page 3, wherein a number of business cards are displayed in response to a user selection of the business card category), select a particular publication and preview the selected publication (*Sams Publishing*, Fig. 3.3, page 4), select a color scheme, and view the selected publication rendered with the selected color scheme. *Sams Publishing* does not teach or suggest any feature or technique for "allowing the user to select respective first and second colors from a plurality of colors to be applied to the first component color and the second component color; updating the first color associated with the element with the selected first color and the second color associated with the element with the selected second color; and displaying at least the element to a user, the multiple color tones of the grayscale image pattern fill content rendered based on a combination of the first component color and the second component color, the first component color set to the updated first color and the second component color set to the updated second color".

A prima facie case for obviousness under 35 U.S.C. §103 requires that the references, taken in combination, teach all of the elements of the claim. As described in detail above, neither *Coloring.com* nor *Sams Publishing*, taken either alone or in combination, teach all of

the limitations of any of Applicant's independent or dependent claims. Accordingly, the Applicant respectfully requests withdrawal of the 35 U.S.C. §103(a) rejection of the claims.

Reconsideration and withdrawal of the rejections of each of the claims is respectfully requested.

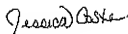
CONCLUSION

The Applicant therefore respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejections of claims 1, 5-6, 8-10, and 16-22.

The Examiner is invited to call the undersigned in the event that a telephone interview may assist in the advancement of the prosecution of this application.

Respectfully Submitted,

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